

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO.: 5:06CV8**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**REAL PROPERTY LOCATED AT 1482
OLD NORTH ROAD, LENOIR, NORTH
CAROLINA,**

Defendant

BERTHA FOX VAUGHT,

Claimant.

ORDER

THIS MATTER is before the Court on a Complaint for Forfeiture In Rem filed by Plaintiff against Defendant Real Property Located at 1482 Old North Road, Lenoir, North Carolina (“Defendant”). On April 27, 2006, Claimant Bertha Fox Vaught (“Claimant”) filed a *pro se* Claim of Interest in Real Property at 1482 Old North Road, Lenoir, North Carolina. Subsequently, on June 1, 2006, Plaintiff filed a Motion to Dismiss the Claim filed by Claimant or, In the Alternative, Motion for Judgment on the Pleadings.

It appears that Plaintiff may be entitled to a dismissal of Claimant’s Claim of Interest as a matter of law. Therefore, Claimant is directed to file a response as described below:

**TO THE CLAIMANT, BERTHA FOX VAUGHT, READ THE FOLLOWING
VERY CAREFULLY:**

You are to file a brief written argument, opposing the Government's Motion to Dismiss or, In the Alternative, Motion for Judgment on the Pleadings.

Within fourteen (14) days of the date of entry of this Order, Claimant must submit the response to the Government's Motion to Dismiss or, In the Alternative, Motion for Judgment on the Pleadings, or request an extension of the deadline.

You are hereby advised that you have fourteen (14) days from the filing of this Order in which to file your response to the Motion to Dismiss or, In the Alternative, Motion for Judgment on the Pleadings. If you fail to respond to this Motion, the Court will proceed to decide the matter. A copy of the response must be served on the Government and a certificate of service must be filed with the Court showing that a copy has been sent to counsel for the Government.

IT IS, THEREFORE, ORDERED that the Claimant has fourteen (14) days from the filing of this Order, to and including July 6, 2006, in which to respond to the Government's Motion to Dismiss or, In the Alternative, Motion for Judgment on the Pleadings.

The Clerk is directed to certify copies of this Order to the Government and Claimant. The Clerk is specifically directed to send the Claimant's copy by **certified mail, return receipt requested**.

Signed: June 19, 2006



Richard L. Voorhees
United States District Judge

